

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.

Chapter 11 Case No.

08-13555 (JMP)

(Jointly Administered)

**ORDER DENYING DEBTORS MOTION, AS SUPPLEMENTED, PURSUANT TO
SECTIONS 105(A) AND 362 OF THE BANKRUPTCY CODE FOR AN ORDER
ENFORCING THE AUTOMATIC STAY AND HOLDING SHINSEI BANK IN
CONTEMPT FOR VIOLATING THE AUTOMATIC STAY**

Upon the motion, dated August 11, 2009, as supplemented [Docket Nos. 4764, 4836] (the “Motion”), of Lehman Brothers Holding Inc., for an order (i) enforcing the automatic stay; (ii) holding Shinsei Bank, Limited (“Shinsei”) in contempt for violating the automatic stay and (iii) granting additional related relief, as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Standing Order M-61 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.); and consideration of the Motion and the relief requested therein being a Core Proceeding pursuant to 28 U.S.C. § 157(b); and upon, inter alia, (i) the objection of Shinsei Bank, dated August 21, 2009 [Docket No. 4876]; (ii) the objection of the Joint Administrators of the Lehman European Group Administration Companies, dated August 21, 2009 [Docket No. 4880]; (iii) the objection of AB Svensk Exportkredit, dated August 21, 2009 [Docket No. 4883]; (iv) the objection of PB Capital Corporation, dated August 21, 2009 [Docket No. 4884]; (v) the objection of Banco Bilbao Vizcaya Argentaria, S.A., dated August 21, 2009 [Docket No. 4885]; (vi) the objection of Barclays Bank PLC and Barclays Capital Inc., dated August 21, 2009

[Docket No. 4886]; (vii) the Debtors' Reply to Objections, dated August 25, 2009 [Docket No. 4920]; (viii) Declaration of Isomi Suzuki and Sur-Reply of Shinsei Bank, dated September 17, 2009 [Docket No. 5206]; (ix) the Letter of Ron Trost Re: Debtors Motion to Enforce Stay Against Shinsei Bank, dated September 29, 2009 [Docket No. 5291]; (x) the Letter of Ron Trost Re: Debtors Motion to Enforce Stay Against Shinsei Bank, dated October 9, 2009 [Docket No. 5418]; and (xi) the Letter to Court Re: Debtors Motion to Enforce Stay Against Shinsei Bank, dated October 13, 2009 [Docket No. 5456]; and a hearing having been held to consider the relief requested in the Motion on August 26, 2009; and a status conference having been held on October 14, 2009 (the "Conference"); and after due deliberation and sufficient cause appearing therefore; and for all the reasons set forth by the Court on the record at the Conference; it is

ORDERED that the Motion is denied in all respects.

Dated: New York, New York
October 27, 2009

s/James M. Peck
UNITED STATES BANKRUPTCY JUDGE